

Community Outreach

Public outreach activities may vary across facilities depending on their size, setting, and type of operation, but should include the following:

- Identifying and responding to community concerns.
- Informing the community of important matters that affect it.
- Reporting on the facility's EMS and performance commitments.
- Provide a short list of community/local references and to list any ongoing citizen suits against the facility.

Independent EMS Assessment

Prior to applying, facilities must have an assessment of their EMS conducted by an independent party.

Pollution Prevention

In addition to the EMS, members must have a working pollution prevention program.

Environmental Preferable Purchasing

Members must make a demonstrable commitment to using products or services that have a reduced effect on human health and the environment when compared with competing products or services.

Special Considerations for Small Businesses

Like EPA, the Participating Departments will modify the requirements for small businesses (fewer than fifty full-time employees) that would like to participate.

Annual Reporting

Like EPA, each member of Arizona Performance Track will be required to complete an Annual Performance Report to demonstrate its environmental accomplishments over the year, its continued high level of environmental performance, and its maintenance of the Performance Track membership criteria.

Annual Performance Reports are due on April 1 of each year, beginning with the April 1st following the year in which a member is accepted into the program.

Site Visits

The Participating Department(s) will conduct program site visits at a limited number of Performance Track facilities each year. These site visits are not compliance inspections. The purpose of the visit will be to evaluate the effectiveness of the program. During these site visits, a facility will be asked to provide materials that directly support its participation in Performance Track, including its EMS, information about progress on performance commitments including community outreach. More detailed information will be provided to all participants in advance of making site visits.

Membership Is Not A License

Because membership in Arizona Performance Track is not required by law, it does not constitute a license or a permit. As a result, the Participating Departments' review of a Performance Track application is not subject to the licensing timeframes and a denial, suspension, revocation, or annulment of Performance Membership does not constitute the right to an appeal.

How To Apply

Applications can be found at: www.azdeq.gov
or call Henry Darwin at (602) 771-2328
email: Darwin.Henry@azdeq.gov
Toll Free in AZ: (800) 234-5677 Ext: 771-2328



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(602) 771-2300
(800) 234-5677 TDD (602) 771-4829
Web site: azdeq.gov

Participating Departments



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Above and Beyond

Pollution Prevention

OUTREACH

Reporting Reduction
COMPLIANCE Fewer Inspections

Recognition

EMS

INCENTIVES
Improvement



Janet Napolitano, Governor
Stephen A. Owens, ADEQ Director

Introduction

Arizona Environmental Performance Track is a voluntary partnership program that recognizes and rewards private and public facilities that demonstrate strong environmental performance beyond current requirements. The program is based on the premise that government should complement existing regulatory programs with new tools and strategies that not only protect people and the environment, but also capture opportunities for reducing cost and spurring technological innovation.

Membership in Arizona Performance Track provides recognition, regulatory flexibility, and other incentives for the commitment to continuous environmental improvement through the use of environmental management systems, for fostering public outreach, community involvement, and agreeing to performance measurement.

Members will receive benefits from the Arizona Department of Environmental Quality (and those receiving delegation of authority from ADEQ), and from the air quality departments in Maricopa County, Pima County, and Pinal County (hereafter known as the Participating Departments). Membership in the program is at the discretion of the Participating Departments.

Incentives for Participation

- Reduced Inspection Frequency
- Advance Notice of Enforcement
- No Action for Minor Violations
- Notice Prior to Inspection*
- Consolidation of Reports*
- Public Recognition
- Permit Flexibility*
- Reduction in Reporting Requirements*
- Expanded Hazardous Waste Accumulation Time
- Participation in Pilot Projects to Reduce Regulatory Burdens
- Multi-media Inspections and Permitting*
- Participation in Developing Future Incentives

*considered on a case-by-case basis

Requirements for Membership

Performance Track adopts EPA's federal National Environmental Performance Track program as its core. The Participating Departments will add only two minor requirements that are not included in the national program (additional pollution prevention and environmental preferable purchasing).

The EPA requirements can be found on their Web site: <http://www.epa.gov/performancetrack/program/standard.htm>

Sustained Compliance

Members must have a record of compliance with environmental laws, be in compliance with all applicable environmental requirements and commit to maintaining the level of compliance needed to qualify for the program.

Participants must also have:

No Criminal Activity

- Any ongoing criminal investigation/prosecution or corporate criminal conviction or plea for environmentally-related violations of criminal laws involving the corporation, a corporate officer or an employee within the past 5 years.

No Civil Activity

- Three or more significant violations by the company owning the facility in the past 3 years.
- Unresolved, unaddressed Significant Non-Compliance (SNC) by the company owning the facility.
- Planned, but not yet filed, judicial or administrative action against the company owning the facility.
- Ongoing federal, state, or county initiated litigation against the company owning the facility.
- The company owning the facility is not in compliance with the schedule and terms of an order or decree.

Environmental Management System

A company must have adopted and implemented an Environmental Management System (EMS) that has undergone an independent assessment. At a minimum the EMS must include:

An Environmental Policy

An environmental policy committing the facility to compliance with legal requirements and voluntary commitments; a pollution prevention program; con-

tinuous improvement in environmental performance, including areas not subject to regulations and sharing information on environmental performance with the community.

Planning

The EMS must identify significant environmental aspects and legal requirements of the facility. Measure objectives and targets to meet policy commitments and legal requirements, to reduce the facility's significant environmental impacts. The facility should consider preventing non-compliance, preventing pollution at its source, minimizing cross-media pollutant transfers, and improving environmental performance. Create active, documented programs with time frames to achieve the objectives, targets, and commitments in the EMS.

Implementation and Operation

The EMS must establish roles and responsibilities for meeting objectives and targets of the overall EMS and compliance with legal requirements, including identification of a top management representative with authority and responsibility for the EMS.

- General environmental training programs for all employees, and specific training where applicable.
- Operation and maintenance programs for equipment and for other operations.
- An emergency preparedness program.

Checking and Corrective Action

The EMS must include an active program for assessing performance, making corrective actions and preventing and detecting non-conformance with legal and other requirements of the EMS, including an established compliance audit program and an EMS audit program.

Management Review

The EMS must document management review of performance against the established objectives and targets and the effectiveness of the EMS in meeting policy commitments.

Continuous Improvement

Facilities need to demonstrate past environmental achievement and commit to continued improvement.